

DOCKET NO: 216745US0

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

IN RE APPLICATION OF

BARDO SCHMITT, ET AL.

: EXAMINER: PAUL ZUCKER

SERIAL NO: 10/068,849

: ALLOWED DATE: MARCH 15, 2004

FILED: FEBRUARY 11, 2002

: GROUP ART UNIT: 1621

FOR: PROCESS FOR MANUFACTURING :
UNSATURATED CARBOXYLIC ACID
ANHYDRIDES

BEST AVAILABLE COPY

RECEIVED

MAY 21 2004

PETITION UNDER 37 C.F.R. 1.181

OFFICE OF PETITIONS

COMMISSIONER FOR PATENTS
ALEXANDRIA, VIRGINIA 22313

RECEIVED

MAY 25 2004

SIR:

TECH CENTER 1600/2900

Applicants hereby petition the Commissioner pursuant to 37 C.F.R. 1.181 to invoke supervisory authority to make the application available to the Examiner for formal acknowledgement of three crossed-out documents on the information disclosure statement filed June 13, 2002.

These documents were crossed-out and "no translation" was indicated next to each citation. 37 C.F.R. 1.98(C)(i) indicates that a "concise explanation of the relevance" of documents not in the English language be provided. The Applicants have provided a concise explanation of each of these documents in the specification, and the pertinent portions of the specification are indicated in the Statement of Relevancy that was attached to the Information Disclosure Statement.

Accordingly, the Applicants respectfully request that the Examiner provide written acknowledgement that each of these three documents has been considered. For the

Adjustment date: 10/12/2004 SDIRETA1
08/11/2004 FMERCER 00000002 150030 10068849
01 FC:1460 130.00 CR

08/11/2004 FMERCER 00000002 150030 10068849
01 FC:1460 130.00 DA

1460-130

BEST AVAILABLE COPY

September 10, 2004

UNITED STATES PATENT AND TRADEMARK OFFICE
Box 16
Washington, DC 20231

Attn: Frank Lebron
Refund Department

Re: Deposit Account #150030

Dear Mr. Lebron:

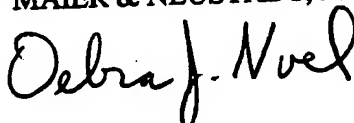
Enclosed is a copy of a portion of our deposit account statement of August 2004. Please review the highlighted charge on **Serial Number 10/068,849** in the amount of \$130.00 on fee code #1460.

An Information Disclosure Statement (IDS) was filed on June 13, 2002. Several documents were crossed-out by the Examiner with "no translation" written next to them. A petition was filed on May 5, 2004, asking that the Examiner look at these documents. The petition also argued that no petition fee is due because a Statement of Relevancy was filed with these documents in place of English translations. The Examiner should consider the references without English translations if a Statement of Relevancy is filed. The petition fee charged to our deposit account was in error and should be refunded.

Please investigate this charge and kindly refund \$130.00 to Deposit Account #150030. Copies of the appropriate paperwork are attached. If you have questions, please do not hesitate to contact me. My phone number is 703-412-6296. Thank you for your assistance.

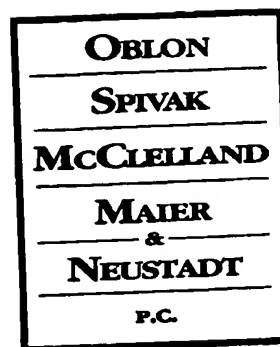
Sincerely,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.



Debra J. Noel
Accounting Department

Enclosures



ATTORNEYS AT LAW

KATHLEEN A. MORSBERGER
CONTROLLER
(703) 412-6494
KMORSBERGER@OBLON.COM



United States
Patent and
Trademark Office

BEST AVAILABLE COPY

Deposit Account Statement

Requested Statement Month:

Deposit Account Number:

Name:

Attention:

Address:

City:

State:

Zip:

NORMAN F. OBLON

1940 DUKE STREET
ALEXANDRIA
VA
22314

DATE	SEQ	POSTING REF TXT	ATTORNEY DOCKET NBR	FEE CODE	AMT	BAL
08/02	1	09635429	195617US0X	1251	\$110.00	\$26,374.71
08/02	3	10209522	249465US	8013	-\$25.00	\$26,399.71
08/02	4	10209522	249465US	8013	-\$25.00	\$26,424.71
08/02	5	10259501	228670US3	1251	\$110.00	\$26,314.71
08/02	35	10856960	253815US2	1202	\$216.00	\$26,098.71
08/02	51	10862574	254278US23	1202	\$126.00	\$25,972.71
08/02	66	10112769	221548US	1806	-\$180.00	\$26,152.71
08/03	1	10489866	250661US0XPCT	1614	\$430.00	\$25,722.71
08/03	1	10189020	223724US2S	1251	\$110.00	\$25,612.71
08/03	3	10143926	223121US2	1251	\$110.00	\$25,502.71
08/03	4	10797078	250127US0	1053	-\$130.00	\$25,632.71
08/03	7	10047698	217784US2	1806	-\$180.00	\$25,812.71
08/03	8	10347439	228451US0	1806	-\$180.00	\$25,992.71
08/03	9	10226346	227267US0DIV	1252	-\$420.00	\$26,412.71
08/03	10	10251855	228571US0	1806	-\$180.00	\$26,592.71
08/03	11	10175799	224083US0	1806	-\$180.00	\$26,772.71
08/03	18	10777225	248903US0X CONT	1051	\$130.00	\$26,642.71
08/03	39	E-REPLENISHMENT		9203	-\$100.00	\$26,742.71
08/03	40	E-REPLENISHMENT		9203	-\$100.00	\$26,842.71
08/03	41	E-REPLENISHMENT		9203	-\$100.00	\$26,942.71
08/03	43	E-REPLENISHMENT		9203	-\$100.00	\$27,042.71
08/03	44	E-REPLENISHMENT		9203	-\$100.00	\$27,142.71
08/03	45	E-REPLENISHMENT		9203	-\$100.00	\$27,242.71
08/03	336	10748150	248435US87/JEM	8007	\$20.00	\$27,222.71
08/03	340	10748146	248437US87/JEM	8007	\$20.00	\$27,202.71
08/03	360	60487943	240574US0/JEM	8007	\$20.00	\$27,182.71
08/04	1	09623596	188811US0PCT	1806	\$180.00	\$27,002.71
08/04	1	10172910	224603US3	1201	\$86.00	\$26,916.71

08/04 2	10172910	224563US2	1202	\$234.00	\$26,682.71
08/04 3	0131940184	215870USATEP/FF	8014	\$25.00	\$26,657.71
08/04 3	10244075	226757US0CON	1253	\$950.00	\$25,707.71
08/04 3	10176609	224016US0/HC	1251	-\$110.00	\$25,817.71
08/04 4	09852210	208267US3	1806	-\$180.00	\$25,997.71
08/04 4	10244075	226757US0CON	1202	\$38.00	\$25,961.71
08/04 5	10373050	234398US2	1806	-\$180.00	\$26,141.71
08/04 6	10158069	223537US0	1806	-\$180.00	\$26,321.71
08/04 7	10189014	223273US-20	2202	-\$243.00	\$26,564.71
08/04 20	10023702	217726US3	1806	-\$180.00	\$26,744.71
08/04 34	10861446	254130US0DIV	1202	\$18.00	\$26,726.71
08/04 39	60461403	236487USPROV/JEM	8007	\$20.00	\$26,706.71
08/04 59	09786123	P 277025	1504	\$300.00	\$26,406.71
08/04 213	10852261	253547US0DIV	1053	\$130.00	\$26,276.71
08/05 1	09892545	210574	8001	\$30.00	\$26,246.71
08/05 2	10684434	242160US2CON1	1202	\$108.00	\$26,138.71
08/05 3	10616921	240292US0CONT	1201	\$86.00	\$26,052.71
08/05 4	10366519	233028US0DIV	1806	\$180.00	\$25,872.71
08/05 6	E-REPLENISHMENT		9203	-\$100.00	\$25,972.71
08/05 58	10454493	238690US0	1252	\$420.00	\$25,552.71
08/06 4	09820749	205429US0	1251	-\$110.00	\$25,662.71
08/06 5	10488295	249508US41XPCT	1617	\$130.00	\$25,532.71
08/06 24	09946369	213629US0/LN	1253	-\$930.00	\$26,462.71
08/06 30	10772238	248627US90CONT	1051	\$130.00	\$26,332.71
08/06 49	E-REPLENISHMENT		9203	-\$100.00	\$26,432.71
08/09 4	10296939	230608US0PCT	1201	\$86.00	\$26,346.71
08/09 15	10497852	213553US28PCT	1610	\$40.00	\$26,306.71
08/09 16	60530617	247016US0PROV	1052	\$50.00	\$26,256.71
08/09 40	10749401	247342US8	2203	\$146.00	\$26,111.71
08/09 141	60492736	241300US0P/JEM	8007	\$20.00	\$26,091.71
08/10 1	10387506	236427US2	1806	\$180.00	\$25,911.71
08/10 249	10804718	254129US26/JEM	8007	\$20.00	\$25,891.71
08/10 311	6666615	213000US4X/JEM	8013	\$25.00	\$25,866.71
08/11 6	09330066	05574005-2	1201	\$266.00	\$25,478.71
08/11 6	10796180	250051US28 DIV	1806	\$180.00	\$25,298.71
08/11 11	10784204	240369US2	1051	\$130.00	\$25,168.71
08/12 3	10492839	251481US0PCT	1616	\$290.00	\$24,878.71
08/12 4	10492839	251481US0PCT	1614	\$430.00	\$24,448.71
08/12 5	10492839	251481US0PCT	1615	\$216.00	\$24,232.71
08/12 5	10092631	220481US2	1251	\$110.00	\$24,122.71
08/12 76	6346646	00410040-0/PCT/JEM	8013	\$25.00	\$24,097.71
08/12 331	09459638	05574005-2	1504	\$300.00	\$23,797.71
08/13 2	10337774	232553US0/SHB	1202	\$54.00	\$23,743.71
08/13 67	10916596	257280US6	1201	\$86.00	\$23,657.71
08/13 74	10716427	245637US0	1252	\$420.00	\$23,237.71
08/13 205	60492735	241202US90P/JEM	8007	\$40.00	\$23,197.71
08/16 52	09784444	230070US0XPC	1504	\$300.00	\$22,897.71

BEST AVAILABLE COPY

Dept.: CHEMICAL
By: NFO:JKP:slj

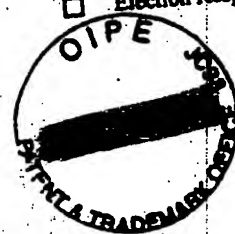
OSMMAN File No. 216745US0

In the matter of the Application of: **Bardo SCHMITT, et al.**

For: **PROCESS FOR MANUFACTURING UNSATURATED CARBOXYLIC ACID ANHYDRIDES**

The following has been received in the U.S. Patent Office on the date stamped hereon:

- | | | |
|---|------------------------------|---------------------------------|
| <input type="checkbox"/> Specification | Claims/Drawings | Sheets |
| <input type="checkbox"/> Combined Declaration, Petition & Power of Attorney | Pages Application Data Sheet | pages |
| <input type="checkbox"/> List of Inventor Names and Addresses | | |
| <input type="checkbox"/> Utility Patent Application Transmittal | | |
| <input type="checkbox"/> Notice of Priority | | |
| <input type="checkbox"/> Check for | | |
| <input type="checkbox"/> Fee Transmittal Form | | |
| <input type="checkbox"/> Assignment/PTO 1595 pages: | | |
| <input type="checkbox"/> Letter to Official Draftsman | | |
| <input type="checkbox"/> Letter Requesting Approval of Drawing Changes | | |
| <input type="checkbox"/> Drawings | sheets | <input type="checkbox"/> Formal |
| <input type="checkbox"/> Letter | | |
| <input type="checkbox"/> Amendments | | |
| <input checked="" type="checkbox"/> Cited References (9) | | |
| <input type="checkbox"/> Search Report | | |
| <input checked="" type="checkbox"/> Statement of Relevancy | | |
| <input type="checkbox"/> IDS/Related List of Related Cases | | |
| <input type="checkbox"/> Restriction Response | | |
| <input type="checkbox"/> Rule 112 Declaration | | |
| <input type="checkbox"/> Petition for Extension of Time | | |
| <input type="checkbox"/> Notice of Appeal | | |
| <input type="checkbox"/> Brief | | |
| <input type="checkbox"/> Issue Fee Transmittal | | |
| <input type="checkbox"/> White Advance Serial Number Card | | |
- ☐ CPA
☐ Priority Doc
☒ Dep. Acct. Order Form
- ☒ PTO-1449
- ☐ Cited Pending Applications
- ☐ Election Response



Due Date: June 13, 2002

DOCKET NO.: 216745US0

BEST AVAILABLE COPY

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF:

Bardo SCHMITT, et al.

FILED: February 11, 2002

FOR: PROCESS FOR MANUFACTURING UNSATURATED CARBOXYLIC ACID
ANHYDRIDES

The references cited on the attached Form PTO-1449:

Reference AO (SU 228016):

This reference is discussed on page 2, line 3 of the specification.

Reference AP (DE 35 10 035):

This reference is discussed on page 1, line 11 and page 2, line 9 of the specification.

Reference AQ (DE 35 44 765):

This reference is discussed on page 2, line 5 of the specification.

Reference AR (FR 2 592 040):

This reference is discussed on page 1, line 19 and page 2, line 10 of the specification.

Reference AS (DE 36 44 222):

This reference is discussed on page 2, line 12 and page 4, line 9 of the specification.

BEST AVAILABLE COPY

SHEET 1 OF 1

Form PTO 1449 (Modified)		U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE		ATTY DOCKET NO. 216742US0		SERIAL NO. 10/068,849	
LIST OF REFERENCES CITED BY APPLICANT				Bardo SCHMITT, et al.			
JUN 13 2002				Filing Date: 11, 2002			
U.S. PATENT NO.							
EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB CLASS	FILING DATE IF APPROPRIATE
PAZ	AA	4 781 868	11/1/88	Langerbeins (corresponds to DE 35 24 765)			
PAZ	AB	4 874 558	10/17/89	Fife et al.			
	AC						
	AD						
	AE						
	AF						
	AG						
	AH						
	AI						
	AJ						
	AK						
	AL						
	AM						
	AN						
FOREIGN PATENT DOCUMENTS							
		DOCUMENT NUMBER	DATE	COUNTRY	TRANSLATION YES NO		
PAZ	AQ	DE 35 44 765	6/18/87	Abstract corresponds to DE 4 781 868			
PAZ	AR	FR 2 592 040	6/21/89	FRANCE			
PAZ	AT	WO 95/32940	12/1/95	WFO			
	AU						
	AV						
OTHER REFERENCES (including Author, Title, Date, Pertinent Pages, etc.)							
PAZ	AW	D. PLUSQUELLEC, et al., "A New Synthesis of Carboxylic and Carbonic Acid Anhydrides using Phase Transfer Reactions", TETRAHEDRON, vol. 44, No. 9, pp 2471-2476, 1988.					
	AX						
	AY						
	AZ						
Examiner					<input type="checkbox"/> Additional References sheet(s) attached Date Considered 5.21.03		
*Examiner: Initial reference is considered, which is not in the prior art. Draw line through citation if not in conformance and not considered. Include only references that are considered.							

RECEIVED
 JUN 25 2002
 TECH CENTER 1600/2300

BEST AVAILABLE COPY

OSMM&N File No. 216749US0

Dept.: Chemical

By: NFO/TMC/krs

In the matter of the Application of: Bardo SCHMITT, et al.

For: PROCESS FOR MANUFACTURING UNSATURATED CARBOXYLIC ACID ANHYDRIDES

Due Date: n/a

The following has been received in the U.S. Patent Office on the date stamped hereon:

■ Dep. Acct. Order Form

■ PTO Cover Letter

■ Copy of Date-stamped Filing Receipt, Information Disclosure Statement, PTO 1449 and Statement of Relevancy filed June 13, 2002



BEST AVAILABLE COPY

DOCKET NO: 216745US0

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

IN RE APPLICATION OF

BARDO SCHMITT, ET AL.

: EXAMINER: PAUL ZUCKER

SERIAL NO: 10/068,849

: ALLOWED DATE: MARCH 15, 2004

FILED: FEBRUARY 11, 2002

: GROUP ART UNIT: 1621

FOR: PROCESS FOR MANUFACTURING :
UNSATURATED CARBOXYLIC ACID
ANHYDRIDES

COMMISSIONER FOR PATENTS
ALEXANDRIA, VIRGINIA 22313

SIR:

Applicants hereby petition the Commissioner pursuant to 37 C.F.R. 1.181 to invoke supervisory authority to make the application available to the Examiner for formal acknowledgement of three crossed-out documents on the information disclosure statement filed June 13, 2002.

cit

de

the pertinent portions of the specification are indicated in the Statement of Relevancy that was attached to the Information Disclosure Statement.

Accordingly, the Applicants respectfully request that the Examiner provide written acknowledgement that each of these three documents has been considered. For the

BEST AVAILABLE COPY

Application No. 10/068,849
Petition Under 37 C.F.R. 1.181

convenience of the Examiner, a copy of the previously filed Information Disclosure Statement, Statement of Relevance, and a stamped filing receipt is attached to this petition.

However, in the event any variance exists between the required petition fee and this amount, please charge or credit the difference to our Deposit Account No. 15-0030.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.
Norman F. Oblon

Thomas M. Cunningham
Attorney of Record
Registration No. 45,394

Customer Number

22850

Tel: (703) 413-3000
Fax: (703) 413-2220
(OSMMN 08/03)